

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

LUIS A. SUAREZ

Plaintiff

vs

CIVIL 98-1854CCC

UNITED STATES OF AMERICA and
UNITED STATES POSTAL SERVICE,
EMPLOYER MIGDALIA DELL'ANNO,
SUPERVISOR, AN INDIVIDUAL JUAN J.
TORRES, OFFICER IN CHARGE, AN
INDIVIDUAL BEDA VELAZQUEZ-
OLIVENCIA, LABOR RELATIONS
SPECIALIST, and INDIVIDUAL,
AMERICAN POSTAL WORKERS UNION,
CARIBBEAN AREA LOCAL, d/b/a
PUERTO RICO AREA LOCAL, LOCAL
1070, A UNION

Defendants

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SAN JUAN, P.R.

ORDER

Having considered the Motion for Summary Judgment filed by defendant American Postal Workers Union, Local 1070 (**docket entry 30**) and plaintiff's opposition (**docket entry 33**), the same is DENIED, inasmuch as there are issues of material fact on whether the defendant union breached its duty of fair representation on the back pay award which preclude the entry of summary judgment.

SO ORDERED.

At San Juan, Puerto Rico, on March ^{23rd} 2000.

s/c. H. Hopkins, Jr.
J. Semillano
A. Luciano


CARMEN CONSUELO CEREZO
United States District Judge

3-27-00

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